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May 28, 2004

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3...pages including cover sheet.

<b>PERSON TO:</b>	<b>COMPANY/DEPT TO:</b>	<b>FAX NUMBER:</b>
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Examiner L. Scheiner

USPTO  
Group Art Unit: 1648

703-872-9306

**OFFICIAL**

<b>PERSON FROM:</b>	<b>COMPANY/DEPT FROM:</b>	<b>FAX NUMBER:</b>
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Diane Payne

Intervet, Millsboro  
Patent Department

302-934-4305

RE:

USSN: 09/744,799

Attorney Docket No.: 198.404 US

Please accept the documents that follow in the above-identified application.

Response to Restriction Requirement of May 4, 2004 (2 pages)

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## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

BY: Diane S. PayneDate: 5-28-04RECEIVED  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

SONDERMEIJER ET AL

Serial Number: 09/744,799

Group Art Unit: 1648

Filed: January 30, 2001

Examiner: Scheiner, L.

For: ATTENUATED EQUINE HERPESVIRUS

OFFICIAL

Response to Restriction Requirement of May 4, 2004Assistant Commissioner of Patents  
Arlington, VA 22313

May 28, 2004

**I. Introduction**

Sir:

Applicants respectfully respond to the Restriction Requirement of May 18, 2004 as follows: Please charge any required fees and credit any credits to deposit account 02-2334.

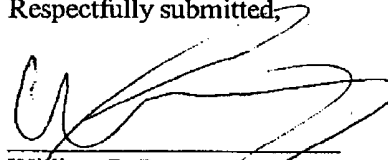
## II. Remarks and Conclusion

Applicants thank the Examiner for correcting the record. Applicants would additionally request a term extension commensurate with the time the patent application was being corrected. Accordingly, Applicants petition for such extension.

To further prosecution, Applicants elect Group I, comprising Claims 16-21, 26-28, 32-39, and 41-43, with traverse. Should the Examiner disagree with the Restriction made by Applicants, Applicants invite the Examiner to call the undersigned attorney at 302-933-4034, to expedite prosecution.

In conclusion, Applicants reaffirm the Election of Group I and respectfully submit that the Claims are in a condition for allowance and request such action. Please call the undersigned attorney with any questions. Please charge deposit account 02-2334 for any required fees and to credit any credits.

Respectfully submitted,



William P. Ramey, III  
Attorney for Applicants  
Registration No. 44,295

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